

HOUSE BILL 198

F1, E2

6lr1267

(PRE-FILED)

By: **Delegate Griffith**

Requested: October 21, 2025

Introduced and read first time: January 14, 2026

Assigned to: Ways and Means and Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **School Systems – Reportable Offenses – Notification of Student as Suspect**

3 FOR the purpose of requiring law enforcement agencies to notify the State’s Attorney if a
4 student is a suspect in an investigation of certain offenses and if the student no
5 longer is a suspect; authorizing the State’s Attorney to notify the local
6 superintendent or the superintendent’s designee if the student is a suspect in an
7 investigation of certain offenses; requiring the State’s Attorney to notify the local
8 superintendent or the superintendent’s designee if a student is no longer a suspect
9 in certain investigations; and generally relating to reportable offenses in school
10 systems.

11 BY repealing and reenacting, with amendments,
12 Article – Education
13 Section 7–303
14 Annotated Code of Maryland
15 (2025 Replacement Volume and 2025 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – Education**

19 7–303.

20 (a) (1) In this section the following words have the meanings indicated.

21 (2) “Criminal organization” has the meaning stated in § 9–801 of the
22 Criminal Law Article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(3) “Law enforcement agency” means the law enforcement agencies listed in § 1–101(c) of the Public Safety Article.

(4) “Local school system” means the schools and school programs under the supervision of the local superintendent.

(5) “Local superintendent” means:

(i) The county superintendent, for the county in which a student is enrolled, or a designee of the superintendent, who is an administrator; or

(ii) The superintendent of schools for the:

1. Archdiocese of Baltimore;
2. Archdiocese of Washington; and
3. Catholic Diocese of Wilmington.

(6) “Reportable offense” means an offense that:

(i) Occurred off school premises;

(ii) Did not occur at an event sponsored by the school; and

(iii) Involved any of the following:

1. A crime of violence, as defined in § 14–101 of the Criminal Law Article;
2. Any of the offenses enumerated in § 3–8A–03(d)(4) of the Courts Article;
3. A violation of § 4–101, § 4–102, § 4–203, or § 4–204 of the Criminal Law Article;
4. A violation of § 5–602, § 5–603, § 5–604, § 5–605, § 5–606, § 5–607, § 5–608, § 5–608.1, § 5–609, § 5–612, § 5–613, § 5–614, § 5–617, § 5–618, § 5–627, or § 5–628 of the Criminal Law Article;
5. A violation of § 4–503, § 9–504, or § 9–505 of the Criminal Law Article;
6. A violation of § 6–102, § 6–103, § 6–104, or § 6–105 of the Criminal Law Article;

- 1 7. A violation of § 9–802 or § 9–803 of the Criminal Law
2 Article;
- 3 8. A violation of § 3–203 of the Criminal Law Article;
- 4 9. A violation of § 6–301 of the Criminal Law Article;
- 5 10. A violation of § 9–302, § 9–303, or § 9–305 of the Criminal
6 Law Article;
- 7 11. A violation of § 7–105 of the Criminal Law Article;
- 8 12. A violation of § 6–202 of the Criminal Law Article; or
- 9 13. A violation of § 10–606 of the Criminal Law Article.

10 (7) “School principal” means the principal of the public or nonpublic school
11 in which a student is enrolled, or a designee of the principal, who is an administrator.

12 (8) (i) “School security officer” includes a school principal, another
13 school administrator, a law enforcement officer, or other individual employed by a local
14 school system or a local government who is designated by the county superintendent or a
15 school principal to help maintain the security and safety of a school.

16 (ii) “School security officer” does not include a teacher.

17 (9) “Student” means an individual enrolled in a public school system or
18 nonpublic school in the State who is 5 years of age or older and under 22 years of age.

19 (b) **(1) IF A STUDENT IS THE SUSPECT IN AN INVESTIGATION OF AN ACT**
20 **THAT IF COMMITTED BY AN ADULT WOULD BE A FELONY OR CRIME OF VIOLENCE,**
21 **THE LAW ENFORCEMENT AGENCY CONDUCTING THE INVESTIGATION SHALL NOTIFY**
22 **THE STATE’S ATTORNEY OF THE INVESTIGATION WITHIN 24 HOURS OF THE**
23 **IDENTIFICATION OF THE STUDENT AS A SUSPECT OR AS SOON AS PRACTICABLE.**

24 **(2) ON NOTIFICATION UNDER PARAGRAPH (1) OF THIS SUBSECTION,**
25 **THE STATE’S ATTORNEY MAY NOTIFY THE LOCAL SUPERINTENDENT OR THE**
26 **SUPERINTENDENT’S DESIGNEE WITHIN 24 HOURS OF THE NOTIFICATION OR AS**
27 **SOON AS PRACTICABLE.**

28 **(3) IF NOTIFICATION HAS BEEN MADE UNDER PARAGRAPH (1) OF**
29 **THIS SUBSECTION AND THE LAW ENFORCEMENT AGENCY DETERMINES THAT THE**
30 **STUDENT IS NO LONGER A SUSPECT IN THE INVESTIGATION, WITHIN 24 HOURS OF**
31 **MAKING THE DETERMINATION, THE LAW ENFORCEMENT AGENCY SHALL NOTIFY**
32 **THE STATE’S ATTORNEY THAT THE STUDENT IS NO LONGER A SUSPECT.**

(4) IF THE STATE'S ATTORNEY IS NOTIFIED UNDER PARAGRAPH (3) OF THIS SUBSECTION AND HAD PREVIOUSLY NOTIFIED THE LOCAL SUPERINTENDENT OR SUPERINTENDENT'S DESIGNEE UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE STATE'S ATTORNEY SHALL NOTIFY THE LOCAL SUPERINTENDENT OR THE SUPERINTENDENT'S DESIGNEE THAT THE STUDENT IS NO LONGER A SUSPECT WITHIN 24 HOURS OF RECEIVING THE NOTIFICATION OR AS SOON AS PRACTICABLE.

(C) If a student is arrested for a reportable offense or an offense that is related to the student's membership in a criminal organization, the law enforcement agency making the arrest:

(1) Shall notify the following individuals of the arrest and the charges within 24 hours of the arrest or as soon as practicable:

(i) The local superintendent;

(ii) The school principal; and

(iii) For a school that has a school security officer, the school security officer; and

(2) May notify the State's Attorney of the arrest and charges.

[(c)] (D) The State's Attorney shall promptly notify either the local superintendent or the school principal of the disposition of the reportable offense required to be reported under subsection [(b)] (C) of this section.

[(d)] (E) Except by order of a juvenile court or other court upon good cause shown, the information obtained by an individual pursuant to subsections (b) [and], (c), AND (D) of this section:

(1) Is confidential and may not be redisclosed by subpoena or otherwise except as provided pursuant to subsections [(e) and] (f) AND (G) of this section; and

(2) May not be made part of the student's permanent educational record.

[(e)] (F) (1) Notwithstanding the provisions of subsection [(d)] (E) of this section, nothing shall prohibit a local superintendent or school principal from transmitting the information obtained pursuant to subsections (b) [and], (c), AND (D) of this section as a confidential file to the local superintendent of another public school system in the State or another nonpublic school in the State in which the student has enrolled or been transferred in order to carry out the purposes of this section if the disposition of the reportable offense was a conviction or an adjudication of delinquency or the criminal charge or delinquency petition is still pending.

(2) A local superintendent or school principal who transmits information about a student under this subsection shall include in the transmittal information regarding any educational programming and related services provided to the student.

[(f)] (G) The State Board shall adopt regulations to ensure that information obtained by a local superintendent, a school principal, or a school security officer under subsections (b), (c), **(D)**, and **[(e)] (F)** of this section is:

(1) Used to provide appropriate educational programming and related services to the student and to maintain a safe and secure school environment for students and school personnel;

(2) Transmitted only to school personnel of the school in which the student is enrolled as necessary to carry out the purposes set forth in item (1) of this subsection; and

(3) Destroyed when the student graduates or otherwise permanently leaves school or turns 22 years old, whichever occurs first.

[(g)] (H) (1) Except as otherwise provided in paragraph (2) of this subsection, the local superintendent and the school principal shall consider prohibiting a student who is arrested for a reportable offense involving rape or a sexual offense from attending the same school or riding on the same school bus as the alleged victim of the reportable offense if such action is necessary or appropriate to protect the physical or psychological well-being of the alleged victim.

(2) If a student is arrested for a reportable offense involving rape or a sexual offense and is convicted of or adjudicated delinquent for the rape or sexual offense, the student may not attend the same school or ride on the same school bus as the victim.

[(h)] (I) Nothing in this section is intended to limit the manner in which a local school obtains information or uses information obtained by any lawful means other than that set forth in subsections (b), (c), **(D)**, and **[(e)] (F)** of this section.

[(i)] (J) Each public school that enrolls students in grades six through twelve in the State shall designate at least one school security officer.

[(j)] (K) (1) On or before December 30 each year, the Department, in accordance with State and federal privacy laws, shall submit to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly a report that includes the following information about each reportable offense for which a local school received information under **[subsection] SUBSECTIONS (b) AND (C)** of this section in the preceding school year:

(i) The nature of the reportable offense;

(ii) Verification that the offense occurred off school premises;

(iii) Action taken by the local school and county board after being notified of the reportable offense **OR THE IDENTIFICATION OF A STUDENT AS A SUSPECT**;

(iv) The race, ethnicity, gender, and disability status of the student arrested for the reportable offense **OR IDENTIFIED AS A SUSPECT**;

(v) The grade of the student arrested for the reportable offense **OR IDENTIFIED AS A SUSPECT**;

(vi) The regular school program of the student arrested for the reportable offense **OR IDENTIFIED AS A SUSPECT**;

(vii) Whether the student's regular school program was altered as a result of the reportable offense **OR IDENTIFICATION OF THE STUDENT AS A SUSPECT**;

(viii) If the student was removed from the student's regular school program as a result of the reportable offense **OR THE IDENTIFICATION OF THE STUDENT AS A SUSPECT**;

1. The amount of time during which the student was removed; and

2. The student's placement and educational programming during the period of removal; and

(ix) If removed from the student's regular school program, the student's academic performance during the time period the student was removed, including attendance, grades, and standardized test scores, and any additional disciplinary actions.

(2) Each county board and public school shall provide the Department with any information necessary to issue its report in accordance with this section.

[(k)] (L) If a student is removed or excluded from the student's regular school program for a reportable offense **OR IDENTIFICATION AS A SUSPECT**, the principal or county superintendent shall invite the student's attorney, if the student has an attorney, to participate in the conference between the student or the student's parent or guardian and the principal or county superintendent, and the manifestation determination review, if applicable.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2026.